

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Marold, et al.,

Civil 05-327 JRT/FLN

Plaintiffs,

v.

REPORT & RECOMMENDATION

Precision Machine Control, Inc.,

Defendant.

1. The complaint in this case was filed on February 14, 2005. When no answer was filed on behalf of defendant(s) or other appearance made within the time required by the rules, the court issued an order on July 22, 2005, which by its terms required plaintiff to take certain action.

2. To date, plaintiff has not complied with the terms of that order.

RECOMMENDATION

Based upon the foregoing, IT IS RECOMMENDED that the court issue an order dismissing this case for lack of prosecution.

DATED: August 17, 2005.

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **September 2, 2005**, written objections which specifically identify the portions of the proposed findings or recommendations to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under the rules shall be limited to ten pages. A judge shall make a de novo determination of those portions to which objection is made.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.